

Nos. 23-5387/5388

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**FILED**Oct 20, 2023  
DEBORAH S. HUNT, Clerk

JAMES MYRON MITCHELL (23-5387/5388); )  
 LATISHA SHANA MENIFEE (23-5387), )  
 )  
 Plaintiffs-Appellees, )  
 )  
 v. )  
 )  
 DANIEL CAMERON WILKEY (23-5387); BOBBY )  
 BREWER (23-5388), In their individual and official )  
 capacities as Deputy Sheriffs for Hamilton County, TN )  
 Government, )  
 )  
 Defendants-Appellants. )

ORDER

In these consolidated appeals arising from a civil rights action, defendants challenge a district court's interlocutory order denying them qualified immunity on plaintiffs' claims for excessive force, failure to intervene, unreasonable search and seizure, assault, battery, and/or negligence. Each defendant filed a separate appellant brief with a combined total word count of 23,430 words. Plaintiff Mitchell moves for leave to file a single, consolidated appellee brief not to exceed 26,000 words in length.

The motion for leave to file an oversized, consolidated appellee brief is **GRANTED IN PART and DENIED IN PART**, insofar as Plaintiff Mitchell may file a brief not to exceed 23,000 words in length.

ENTERED PURSUANT TO RULE 45(a)  
 RULES OF THE SIXTH CIRCUIT



Deborah S. Hunt, Clerk

**United States Court of Appeals for the Sixth Circuit**

**U.S. Mail Notice of Docket Activity**

The following transaction was filed on 10/20/2023.

**Case Name:** James Mitchell, et al v. Hamilton Cnty, TN Gov., et al

**Case Number:** 23-5387

**Docket Text:**

ORDER filed - The motion for leave to file an oversized, consolidated appellee brief is GRANTED IN PART and DENIED IN PART, insofar as Plaintiff Mitchell may file a brief not to exceed 23,000 words in length. [23-5387, 23-5388]

**The following documents(s) are associated with this transaction:**

Document Description: Order

**Notice will be sent to:**

**A copy of this notice will be issued to:**

Mr. Andrew Cronin Clarke

Mr. James Exum III

Mr. Robin R. Flores

Mr. Matthew D. Tidwell

Mr. William Gerald Tidwell Jr.

Ms. LeAnna Wilson